

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**ARTHUR R. DOHMEN, Special  
Administrator of the Estate of Sarah  
A. Fitzsimmons, Deceased, on behalf  
of himself and Decedent's heirs and  
next of kin estate of SARAH A.  
FITZSIMMONS,**

**Plaintiff,**

**vs.**

**NEBRASKA CENTRAL RAILWAY  
COMPANY, A Delaware Corporation,  
and RIO GRANDE PACIFIC  
CORPORATION, A Texas  
Corporation,**

**Defendants.**

**CASE NO. 8:04CV164**

**ORDER OF DISMISSAL**

This matter is before the Court on the parties' Joint Motion to Dismiss with Prejudice. I find that the joint motion complies with the requirements of Fed. R. Civ. P. 41(a)(1)(ii), and the motion should be granted. Accordingly,

**IT IS ORDERED:**

1. The Joint Motion to Dismiss (Filing No. 78) is granted;
2. The Complaint and all claims in this matter are dismissed with prejudice; and
3. Each party shall pay its own costs and attorney fees.

Dated this 6<sup>th</sup> day of April, 2006.

**BY THE COURT:**

s/Laurie Smith Camp  
United States District Judge